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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/043,268 Confirmation No. : 4717
Applicant : ZSUZSANNA ROZSA, et al.
Filed : January 14, 2002
TC/A.U. : 1614
Examiner : Jerome D. Goldberg
Docket No. : 147/50827
Customer No. : 23911
Title : MEDICAMENT WITH A PROTECTIVE EFFECT AGAINST
OXIDATIVE-TOXIC SUBSTANCES, PARTICULARLY
AGAINST CARDIOTOXIC SUBSTANCES

REPLY TO OFFICE ACTION

Mail Stop Non Fee Amendment

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is a full and complete response to the Office Action mailed September 12, 2003, in the above-identified patent application. This reply is accompanied by a petition under 35 U.S.C. § 1.136(a) for a three-month extension of time, and by a check in the amount of o\$950.00 in payment of the required extension of time fee.

Responsive to the requirement for restriction, applicants hereby provisionally elect Group I, namely claims 1-34 for examination in the instant application. This election is made with traverse.

The requirement for restriction is respectfully traversed because all claims of the application are directed to a single inventive concept, and thus to a single invention. The concept of the invention is the reduction of cardiotoxic side effects of cytostatic agents by administration of compounds corresponding to Formula I. The fact that cardiotoxic cytostatic agents may differ in their structure does not mean

that different inventions are involved. On the contrary, the invention is truly generic to all cardiotoxic cytostatic agents regardless of their structure.

Moreover, applicants wish to point out that at least allowable claims 1, 4-13, 15-22, 24, 27 and 29-34 are proper linking claims which prevent restriction.

Accordingly, the attempted requirement for restriction is **not** justified, and reconsideration and withdrawal thereof are respectfully requested.

If there are any questions regarding this response or the application in general, a telephone call to the undersigned would be appreciated since this should expedite the prosecution of the application for all concerned.

If necessary to effect a timely response, this paper should be considered as a petition for an Extension of Time sufficient to effect a timely response, and please charge any deficiency in fees or credit any overpayments to Deposit Account No. 05-1323 (Docket # 029300.50827US).

Respectfully submitted,

December 30, 2003


J.D. Evans
Registration No. 26,269

CROWELL & MORING, LLP
Intellectual Property Group
P.O. Box 14300
Washington, DC 20044-4300
Telephone No.: (202) 624-2500
Facsimile No.: (202) 628-8844

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